

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

2023 APR 11 PM 3:10

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BlackBerry Corporation and Cylance, Inc.

Plaintiff(s),

v.

Kaylan Brown Coulter

Defendant(s).

Case No. 5:22-cv-98

AMENDED
STIPULATED DISCOVERY SCHEDULE/ORDER

The parties submit the following Discovery Schedule pursuant to Local Rule 26(a)(2):

INTRODUCTION

1. In this case, discovery may be needed on the following subjects:
See First Amended Complaint

Unless noted here to the contrary and in more detail, discovery in this matter shall not be conducted in phases or limited to particular, enumerated issues.

2. The parties have conferred about disclosure, discovery, and preservation of electronically stored information ("ESI"). Unless noted otherwise, ESI shall be produced in the following format(s): The parties have agreed to an ESI protocol.

3. The parties have conferred about claims of privilege and claims of protection as trial-preparation materials. The parties have agreed on the following procedure to assert these claims after production: This is addressed in parties' ESI protocol.

Unless specifically requested in a filing with this court, the parties agreed procedure will not be the subject of a court order under Federal Rule of Evidence 502.

4. Any changes in the limitations on discovery imposed under the Federal Rules of Civil

Procedure or the Local Rules for this District shall be specifically described below.

DEADLINES

5. The parties shall serve initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before 07/15/2022.
6. The parties shall serve all interrogatories and requests for production on or before 07/01/2023.
The parties have agreed to 35 interrogatories, without leave of court.
7. Depositions of all non-expert witnesses shall be completed by 08/01/2023.
The parties will meet and confer about agreeing to the appropriate number of depositions in this case without seeking leave of court.
8. Plaintiff shall submit expert witness reports on or before 08/01/2023.
Depositions of plaintiff's expert witnesses shall be completed by 09/01/2023.
9. Defendant shall submit expert witness reports on or before 09/15/2023.
Depositions of defendant's expert witnesses shall be completed by 10/15/2023.
10. The Early Neutral Evaluation session shall be conducted on 10/1/2023 at 10:00 ☒ am ☐ pm. The parties have agreed that Gregory Clayton, Esq. will serve as the early neutral evaluator. (Note: Paragraph 10 only applies to ENE-eligible cases pursuant to Local Rule No. 16.1.)
11. The parties shall serve all requests for admission on or before 09/15/2023.
12. All discovery shall be completed by 10/15/2023 (no later than 8 months after filing of the Answer or Third-Party Answer).
13. Motions for joinder of parties and amendments to the pleadings shall be filed on or

before 07/01/2023.

14. Motions, including summary judgment motions but excluding motions relating to the
conduct of the trial, shall be filed on or before 11/01/2023.

15. This case shall be ready for trial by 03/01/2024
unless a timely filed motion for summary judgment is pending


4/7/2023
Date /s/ Evan J. O'Brien

Counsel for Plaintiff(s)

4/7/2023
Date /s/ Eric D. Jones

Counsel for Defendant(s)

APPROVED and SO ORDERED:



Chief Judge, U.S. District Court

Date: 11 April 2023

Local Form/Rule 26(a)(3)